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Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

RAMAKRISHNAIAH, MELUR

ART UNIT PAPER NUMBER

2614

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/745,338

Applicant(s)

KONSELLA ET AL.

Examiner

Melur Ramakrishnaiah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 and 20-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18, 20-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*. See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

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***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4-7, 8, 9-11, 14-17, 18, 22-25, rejected under 35 U.S.C. 103(a) as being unpatentable over Srinivasan (US PAT: 6,072,862) in view of Huna (US PAT: 6,438,217, filed 3-11-1999).

Regarding claim 1, Srinivasan discloses a method of routing a communication originally directed to an original destination to a secondary destination, the original destination and the secondary destination each being one of voice communication phone number, a fax communication phone number, and an email address, the method comprising: receiving and storing profile information provided by the user, the user profile information identifying the secondary destination, the user profile information including routing information associating the original destination with the secondary destination (fig.1, col. 3 lines 16-43), converting a communication originally directed to the original destination to a format compatible with the identified secondary destination, and routing the converted communication to the secondary destination based on user profile information (col. 3 lines 44-67, col. 4 lines 1-7).

Regarding claim 8, Srinivasan discloses a method of routing communication from multiple input sources in multiple formats to multiple output destinations in multiple formats, the method comprising: receiving and storing information identifying an

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outgoing voice phone number (36, fig. 1), and an outgoing e-mail address (34, fig. 1), receiving and storing action information identifying a first action to be performed when voice communication is directed to incoming voice phone number, a second action to be performed when a fax communication is directed to incoming fax phone number, and a third action to be performed when an e-mail communication is directed to the incoming email address, and performing first action, second action and third action based on stored action information and stored configuration information (figs. 1-2, col. 3, line 16 – col. 4, line 48).

Regarding claim 18, Srinivasan discloses switchboard system controllable by a user to change contact information of the user on demand, the personal switchboard system comprising: a storage unit in (24, fig. 1) configured to store original contact information associated with the user, a first receiver in (24, fig. 1) configured to receive secondary contact information from the user, a second receiver in (24, fig. 1) to receive configuration information from the user, the configuration information associating at least a portion of original contact information with at least a portion of secondary contact information, an identifier configured to identify a first communication directed to a communication device identified in the original contact information (fig. 1, col. 3 lines 16-54), a converter configured to convert the first communication to a converted communication having a format compatible with the communication device identified in the secondary contact information, and a router configured to route the converted communication to the communication device identified in the secondary contact information based on the configuration information (col. 3 lines 55-67, col. 4 lines 1-36).

Srinivasan differs from claims 1, 8, and 18 in that he does not teach the following: providing a routing system with original destination including a voice communication phone number, a fax communication phone number, and an email address.

However, Huna discloses apparatus and method for future transmission of device independent messages which teaches the following: providing a routing system with original destination including a voice communication phone number, a fax communication phone number, and an email address (fig. 1, col. 6 lines 39-43; fig. 4 col. 14, line 64 – col. 15, line 6).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Srinivasan's system to provide for the following: defining an incoming voice phone number, an incoming fax phone number, and an incoming email address as this arrangement would provide means for sending information to the system using separate addresses as taught by Huna, thus providing for user convenience to send messages using different devices.

Regarding claims 4-7, 22-25, Srinivasan further teaches the following: the secondary destination includes a pager number (38, fig. 1), converting step includes one of synthesizing a voice communication, performing optical character recognition on a fax communication, performing voice recognition on a voice communication, performing text-to-fax conversion on a email communication (col. 3 lines 64-67, col. 4 lines 1-7), user profile information includes a range of dates/times for which the user profile information is valid (col. 3 lines 28-43).

Regarding claims 9-11, 14-17, Srinivasan further teaches the following: first action is at least one of forwarding the voice communication to the outgoing voice phone number, converting the voice communication to fax communication and forwarding the fax communication to the outgoing fax phone number, and converting the voice communication to an e-mail communication and forwarding the e-mail communication to an outgoing email address , second action is at least one of converting the fax communication to a voice communication and forwarding the voice communication to the outgoing voice phone number, forwarding the fax communication to the outgoing fax phone number, and converting the fax communication to an e-mail communication and forwarding the e-mail communication to the outgoing e-mail address, third action is at least one of converting e-mail communication to a voice communication and forwarding to the outgoing voice phone number, converting the e-mail communication to the fax communication and forwarding the fax communication to the outgoing fax phone number, and forwarding the e-mail communication to the outgoing e-mail address (col. 3 lines 64-67, col. 4 lines 1-36), configuration information includes an outgoing pager number (38, fig. 1, col. 4 lines 16-36), performing at least one of voice synthesis, optical character recognition, voice recognition, and text-to-fax conversion, on at least one of voice communication, fax communication, and the e-mail communication (col. 3 lines 64-67, col. 4 lines 1-7), receiving and storing date range data indicating a range of dates/times during which the first action, second action, and third action are to be performed (col. 3 lines 28-43).

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3. Claims 2-3, 12-13, 20-21, are rejected under 35 U.S.C. 103(a) as being unpatentable over Srinivasan in view of Huna as applied to claims 1, 18 above, and further in view of Tsumpes (US PAT: 6,442,241 B1, filed 7-17-2000, provisional application No. 60/143,979, filed on 7-15-1999).

The combination differs from claims 2-3, 12-13, 20-21 in that although he teaches creating user profile by accessing SCP (24, fig. 1) through a telephone (col. 3 lines 20-27 of '862), he does not teach the following: using web page to enter the user profile information and receiving user profile information via internet.

However, Tsumpes discloses automatic parallel and redundant subscriber contact and event monitoring system which teaches the following: using web page to enter the user profile information and receiving user profile information via internet (see abstract).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: using web page to enter the user profile information and receiving user profile information via internet as this arrangement would create another means to create user profile as taught by Tsumpes, thus ensuring user will have wider access for creating and maintaining user profile as taught by Tsumpes (col. 6 lines 54-58).

#### ***Response to Arguments***

4. Applicant's arguments filed on 2-14-2006 have been fully considered but they are not persuasive.

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Rejection of claims 1, 4-7, 8, 9-11, 14-17, 18, 22-25, under 35 U.S.C. 103(a) as being unpatentable over Srinivasan (US PAT: 6,072,862) in view of Huna (US PAT: 6,438,217, filed 3-11-1999): Regarding rejection of the claims using the above combination and further having stated conditions for making obviousness rejection, Applicant argues that "Srinivasan allows a calling party (12) to use a fax (14), an email (16), voice mail (18), or a page (20) to contact the subscriber (26). Thus, in Srinivasan, a complete system for adaptive message delivery is disclosed. This is to say that the user is provided a flexible means for contacting a subscriber by way of variety of communication devices. In Huna, an apparatus and method for future transmission of device-independent message is provided. In Huna, a message server, a data centric server, and a telephony centric network server are provided. Thus, as Srinivasan provides the user with a variety of communication devices (fax, e-mail, voice mail, or page) that can be used to contact the subscriber (26), the Applicant asserts that one of ordinary skill in the art would have no need to make use of the teachings of Huna in order to "provide for greater user convenience to send messages using different devices", as asserted by the examiner at the bottom of page 4 of the office action". Regarding this, as stated in the office action, although Srinivasn teaches using his system to send different messages such a fax, voice mail, page, e-mail etc, he does not specifically teach providing voice communication phone number, a fax communication number, and an email address for contacting as recited in applicant's claims 1, 8, 18. however, Huna teaches providing a routing system with original destination including a voice communication phone number, a fax communication phone number, and an email

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address (fig. 1, col. 6 lines 39-43; fig. 4 col. 14, line 64 – col. 15, line 6). Therefore one of ordinary skill in the art at the time invention was made would be motivated to use teachings of Huna which teaches a routing system with original destination including a voice communication phone number, a fax communication phone number, and an email address to send messages to the server as this arrangement would provide advantage to the user to use separate contact numbers such as voice telephone number, fax telephone number, or email address to send messages using separate devices depending upon the availability of different user devices for sending messages to the server, and then on to the subscriber as taught by Huna, thus providing greater user convenience to send messages using separate addresses depending upon his needs.

Rejection of claims 2-3, 12-13, and 20-21 under 35 U.S.C 103(a) as being obvious over Srinivasan view of Huna as applied to claims 1, 18 above, and further in view of Tsumpes (US PAT: 6,442,241 B1, filed 7-17-2000, provisional application No. 60/143,979, filed on 7-15-1999): with respect to the rejection of these claims, Application argues that "The applicant respectfully traverses this rejection because there is no motivation to combine these references". Regarding this, Applicant repeats his arguments he has made earlier with respect to Srinivasan and asserts that there is no motivation to combine the references. As stated earlier and as stated in the office action, although Srinivasan teaches using his system to send different messages such as fax, voice mail, page, e-mail etc, he does not specifically teach providing voice communication phone number, a fax communication number, and an email address for contacting as recited in applicant's claims 1, 8, 18. However, Huna teaches providing a

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routing system with original destination including a voice communication phone number, a fax communication phone number, and an email address (fig. 1, col. 6 lines 39-43; fig. 4 col. 14, line 64 – col. 15, line 6). Therefore one of ordinary skill in the art at the time invention was made would be motivated to use teachings of Huna which teaches a routing system with original destination including a voice communication phone number, a fax communication phone number, and an email address to send messages to the server as this arrangement would provide advantage to the user to use separate contact numbers such as voice telephone number, fax telephone number, or email address to send messages using separate devices depending upon the availability of different user devices for sending messages to the server, and then on to the subscriber as taught by Huna, thus providing greater user.

In light of this explanation, rejection of claims 1-18, 20-25 is maintained.

**4. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (571)272-8098. The examiner can normally be reached on 9 Hr schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Melur Ramakrishnaiah  
Primary Examiner  
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